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Attorneys for Defendants
 HESS MICROGEN, LLC and
 HESS CORPORATION

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

DG COGEN PARTNERS, LLC,

Plaintiff,

vs.

HESS MICROGEN, LLC; HESS CORPORATION,
 formerly known as AMERADA HESS
 CORPORATION; DOOSAN INFRACORE
 AMERICA CORPORATION, individually and as
 successor-in-interest to DAEWOO HEAVY
 INDUSTRIES AMERICA CORPORATION;
 ADVANCED POWER DISTRIBUTORS, INC.;
 and DOES 1-100, inclusive,

Defendants.

Case No.: 08 CV 3249 SBA

**STIPULATION AND [PROPOSED]
 ORDER**

IT IS HEREBY STIPULATED BY AND BETWEEN Plaintiff DG COGEN PARTNERS, LLC, by and through its counsel of record in this action, Brenda N. Buonaiuto, Esq., of King & Spalding, LLP, and defendants HESS MICROGEN, LLC and HESS CORPORATION (hereinafter "Defendants"), by and through their attorney of record, Cozen O'Connor, that Defendants have a three week extension of time to and including August 29, 2008 to answer or move with respect to the complaint.

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1 IT IS SO STIPULATED.

2 DATED: August 7, 2008

KING & SPALDING LLP

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4 By: Brenda Buonaiuto

5 BRENDAN BUONAIUTO,
6 Attorneys for Plaintiff
7 DG COGEN PARTNERS, LLC

8 DATED: August 7th, 2008

COZEN O'CONNOR

9 By: Geoffrey D. Ferrer

10 GEOFFREY D. FERRER
11 STEVEN L. RODRIGUEZ
12 DANIEL D. HARSHMAN
13 Attorneys for Defendants
14 HESS MICROGEN, LLC
15 and HESS CORPORATION

16 **ORDER**

17 The court having reviewed the foregoing stipulation, and good cause appearing,
18 IT IS ORDERED:

19 1. That Defendants HESS MICROGEN, LLC and HESS CORPORATION have a three
20 week extension of time to and including August 29, 2008 to answer or move with respect to the
21 complaint.

22 DATED: _____

UNITED STATES DISTRICT JUDGE

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24 SAN FRANCISCO 484161 107877.000